

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION  
CASE NO. 5:23-cv-00003**

ERIC KARCHMER,

Plaintiff,

v.

APPALACHIAN STATE UNIVERSITY and  
SHERI EVERTS Chancellor of Appalachian  
State University, in her official capacity,

Defendants.

**MOTION TO WITHDRAW  
AS COUNSEL**

NOW COMES Bruce L. Kaplan, counsel for Plaintiff Eric Karchmer in this matter, and pursuant to Local Civil Rule 83.1(f), respectfully moves the Court to allow him to withdraw as counsel for Plaintiff. Counsel also moves for a temporary stay to allow Plaintiff to find new counsel and, pursuant to Federal Rule of Civil Procedure 6(b), for an extension of time for Plaintiff to respond to Defendants' pending Motion to Dismiss [DE 10]. In support of this Motion, the undersigned shows unto the Court as follows:

1. Counsel seeks to withdraw as counsel of record for Plaintiff because a conflict has developed between counsel and Plaintiff such that counsel believes the representation can no longer continue.
2. Counsel has informed Plaintiff that counsel believes a conflict has developed in the representation such that the representation can no longer continue.
3. Plaintiff has provided his written consent to the proposed withdrawal as counsel. The Affidavit of Eric Karchmer is being filed contemporaneously with this motion.
4. Plaintiff Eric Karchmer's last known address is 20957 Hwy. 88 West,

Creston, NC 28615-8903.

5. Counsel also seeks a fourteen day stay of this matter to allow Plaintiff time to retain new counsel

6. Counsel also seeks an extension of time such that the deadline for Plaintiff to respond to the Defendants' motion to dismiss and to submit his supporting memorandum of law be extended for an additional thirty days, through and including May 2, 2023.

7. Counsel has consulted with Defendants' counsel, who consents to this motion.

8. Good cause exists for this motion and neither Plaintiff nor Defendants will be prejudiced if the motion is granted.

WHEREFORE, the undersigned prays that the Court:

- 1) Enter an order allowing Bruce L. Kaplan to withdraw as counsel for Plaintiff Eric Karchmer;
- 2) Stay this matter for fourteen days in order for Plaintiff Eric Karchmer to retain new counsel;
- 3) Extend the deadline for Plaintiff to respond to the Defendants' motion to dismiss and to submit his supporting memorandum of law for an additional thirty days, through and including May 2, 2023; and
- 4) For such other and further relief as the Court deems just and proper.

This 31st day of March, 2023.

BRUCE L. KAPLAN, ATTORNEY AT LAW

BY: /s/ Bruce L. Kaplan

BRUCE L. KAPLAN

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**CERTIFICATE OF SERVICE**

I hereby certify that on the 31st day of March, 2023, I electronically filed the foregoing with the Clerk of Court using the CM/ECF system, which will send notice of such filing to the following:

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Assistant Attorney General  
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Counsel for Defendants

BRUCE KAPLAN, ATTORNEY AT LAW

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